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PAGE 1/12 * RCVD AT 7/16/2004 6:21:15 PM [Eastern Daylight Time] * SVR:USPTO-EFAX-1/1 * DNIS:8729318 * CSID:310 712 8383 * DURATION (mm-ss):04-38

PTO/SB/97 (08-03)

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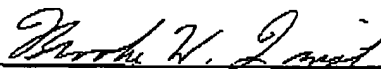
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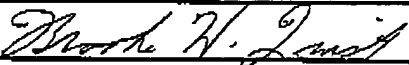
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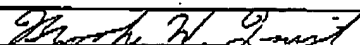
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/667,583
	Filing Date	09/22/2003
	First Named Inventor	Katsuhiko Hayashi
	Art Unit	2831
	Examiner Name	Ngo, Hung V.
Total Number of Pages in This Submission	Attorney Docket Number	10416/22

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) ____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Facsimile Cover Sheet Certificate of Transmission
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PATENT
ATTORNEY DOCKET NO. 10416/22

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of: Katsuhiko Hayashi

Serial No.: 10/667,583

Examiner: Ngo, Hung V.

Filed: September 22, 2003

Group Art Unit: 2831

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Title: SEMICONDUCTOR LASER METHOD OF PRODUCING SAME
AND EVANESCENT OPTICAL HEAD USING THE SAME

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE TO OFFICE ACTION

Sir:

This amendment is responsive to the Office action of April 16, 2004, and is timely filed.

INTRODUCTORY COMMENTS

Claims 7-28 are pending in the present application; however, claims 7-8 and 24-28 have been withdrawn from consideration. Claims 9-10, 12-13, and 21-23 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Berndlmaier et al. (U.S. Patent No. 4,323,914). Claim 11 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Berndlmaier et al. (U.S. Patent No. 4,323,914) in view of Daves et al. (U.S. Patent No. 6,091,603). Claims 14-16 have been indicated by the Examiner to be directed towards allowable subject matter, and would be allowed if rewritten in independent form.

Claims 9, 12, 14, 15, and 17 have been amended. No new claims have been added. No claims have been deleted. Applicant respectfully contends that the differences between the claimed invention and the prior art are such that the claimed invention is patentably distinct over the prior art.